

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

## United States District Court

MAR 18 2002

DISTRICT OF

at 7 o'clock and 30 min. PM  
WALTER A. Y. H. CHINN, CLERK

UNITED STATES OF AMERICA

V.

WAIVER OF RULE 40 HEARINGS  
(Excluding Probation Cases)

MARK SPENCER

Case Number: MAE 02-0123 LEKI, MARK SPENCER, understand that in theDistrict of Hawaiialleging violation of 18 USC §§ 2421 & 2422 and that I have been

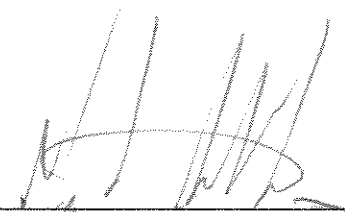
arrested in this District and taken before a United States Magistrate Judge who informed me of the charge and of my right to:


(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held either in this district or the district of prosecution.

## I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ( ☒ ) identity hearing
- ( ☐ ) preliminary examination
- ( ☐ ) identity hearing and have been informed I have no right to a preliminary examination
- ( ☐ ) identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

  
 Defendant

  
 Defense Counsel

3/18/02  
 Date

10